

### REMARKS

Claims 1-28 were pending in the Application. In the Office Action, claims 1-28 were rejected. Applicants respectfully request reconsideration and favorable action in this case in view of the following.

### SPECIFICATION

Applicants have inserted the serial number of the co-pending U.S. Application as requested by the Examiner.

### SECTION 102 REJECTION

Claims 1-13, 16-18 and 26-28 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,016,401 issued to Rostoker et al. (hereinafter *Rostoker*). According to the Office Action, *Rostoker* discloses a graphics adapter comprising a frame buffer, i.e., “frame memories”, “DRAM”, “ROM”, “Buffer”, “host memory” operable to store graphics image data. Applicants respectfully traverse the rejection.

Applicants would like to remind the Examiner that as clearly recited in independent claim 1, the “frame buffer” and the “network interface” are part of a graphics adapter. It is not clear as to what the Examiner is relying on to teach the graphics adapter of claim 1. Because the Office Action fails to provide any indication of which component of *Rostoker* is relied upon to teach the graphics adapter of claim 1, Applicants are unable to address the Examiner’s rejection. Applicants request the Examiner to clearly indicate which component of *Rostoker* he is relying on to teach the graphics adapter of claim 1 so that Applicants may have an opportunity to address the Examiner’s concerns.

Applicants submit that there is no teaching or suggestion in *Rostoker* for a graphics adapter that comprises both a “frame buffer” and a “network interface” as recited in independent claim 1.

In rejecting independent claim 12, the Examiner has simply reproduced all the claim limitations of claim 12 and then asked the Applicants to “[s]ee Abstract, Fig 3-5, Fig 16, Fig 29, Fig 33, Fig 36, Fig 42-44.” 35 U.S.C. § 102 clearly states that “[a] person shall be entitled to a patent unless . . .” Applicants submit that the burden for proving anticipation under 35 U.S.C. § 102 is on the Examiner and it is the Examiner who has to prove that a claim is not patentable. In rejecting claim 12 (and the claims dependent from claim 12), the Examiner has not provided any reasoning or made any assertions as to why he believes that

the Abstract and the listed figures of *Rostoker* anticipate claim 12. Applicants submit that the cited portions of *Rostoker* do not teach or suggest all limitations of claim 12.

Independent claim 12 is a method claim. The figures cited by the Examiner fail to depict a method and most certainly fail to depict a method as required by independent claim 12. Applicants are unable to determine why the Examiner believes that these figures anticipate method claim 12. Furthermore, Applicants believe that the cited figures and the Abstract of *Rostoker* do not teach or suggest all the claim limitations of independent method claim 12. Applicants respectfully remind the Examiner that in order to make a prima facie case of anticipation, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim” and that each and every element as set forth in the claim must be found in the reference. Applicants submit that such detail is lacking in *Rostoker* and the Office Action fails to explain why the Examiner believes that such detail is present in *Rostoker*. As just one example, Applicants submit that *Rostoker* does not teach or suggest “logically dividing a frame buffer of a graphics adapter into a plurality of segments, each of said plurality of segments storing graphics image data corresponding to a destination device of a plurality of destination devices”.

Independent claim 26 recites “a graphics unit operable to render a graphics image, said graphics unit further operable to provide graphics image data relating to said rendered image to said frame buffer”. Applicants submit that the digital video network apparatus of *Rostoker* does not comprise a graphics unit as recited in independent claim 26 and the Examiner has not asserted that the digital video network apparatus comprises a graphics unit as required by claim 26. In fact, the Office Action fails to address this limitation of independent claim 26. Applicants submit that there is no teaching or suggestion in *Rostoker* for a graphics adapter that comprises a graphics unit and a network interface, where the graphics unit is operable to render a graphics image and to provide graphics image data relating to the rendered image to a frame buffer.

Therefore, Applicants respectfully request reconsideration of the rejection and allowance of claims 1-13, 16-18 and 26-28.

#### SECTION 103 REJECTION

Claims 14-15 and 19-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Rostoker* in view of U.S. Patent No. 6,006,231 issued to Popa (hereinafter *Popa*). According to the Examiner, *Rostoker* does not specifically disclose the “comparing” and

“selecting” limitations of independent claim 19. However, according to the Examiner, such limitations are shown in the teaching of *Popa* and that it would have been obvious to one skilled in the art to incorporate the teaching of *Popa* into the teaching of *Rostoker*. Applicants respectfully traverse the rejection.

It appears that the Examiner is taking the position that *Popa* teaches “comparing graphics image data” and “selecting blocks of graphics image data”. It is well-settled that to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art, M.P.E.P. §2143.03. All words in a claim must be considered in judging the patentability of that claim against the prior art. Independent claim 19 recites comparing graphics image data of a new image with graphics image data of a previous image “stored in a frame buffer of a graphics adapter”. Applicants submit that *Popa* does not teach or even mention a graphics adapter, let alone graphics image data stored in a frame buffer of a graphics adapter. Additionally, Applicants submit that in *Rostoker*, RAM 346 which is used to store frames of video is not part of digital video network apparatus 300 but is external to the digital video network apparatus and is connected to the digital video network apparatus by PCI data bus 342, *see* FIGURE 3. Furthermore, Applicants submit that the digital video network apparatus of *Rostoker* is not a graphics adapter and that *Rostoker* does not teach or suggest a graphics adapter comprising a “frame buffer” as recited in independent claim 19. Therefore, even if the teachings of *Rostoker* and *Popa* were combined, all the claim limitations of independent claim 19 would not be taught or suggested as required to make a *prima facie* case of obviousness.

Claim 19 is further rejected under 35 U.S.C. § 103(a) as being unpatentable over *Rostoker* in view of U.S. Patent No. 6,553,412 issued to Kloba et al. (hereinafter *Kloba*). According to the Examiner, *Rostoker* does not specifically disclose the “comparing” and “selecting” limitations of independent claim 19. However, according to the Examiner, such limitations are shown in the teaching of *Kloba* and that it would have been obvious to one skilled in the art to incorporate the teaching of *Kloba* into the teaching of *Rostoker*. Applicants respectfully traverse the rejection.

The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination, *In re Mills*, 916 F.2d 680, 16 U.S.P.Q. 2d 1430 (Fed. Cir. 1990). Applicants submit that such desirability is lacking in the prior art.

Furthermore, it appears that the Examiner is taking the position that *Kloba* teaches “comparing graphics image data” and “selecting blocks of graphics image data”. It is well-settled that to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art, M.P.E.P. §2143.03. All words in a claim must be considered in judging the patentability of that claim against the prior art. Independent claim 19 recites comparing graphics image data of a new image with graphics image data of a previous image “stored in a frame buffer of a graphics adapter”. Applicants submit that *Kloba* does not teach or suggest a graphics adapter, let alone graphics image data stored in a frame buffer of a graphics adapter. Additionally, Applicants submit that in *Rostoker*, RAM 346 which is used to store frames of video is not part of digital video network apparatus 300 but is external to the digital video network apparatus and is connected to the digital video network apparatus by PCI data bus 342, *see* FIGURE 3. Furthermore, Applicants submit that the digital video network apparatus of *Rostoker* is not a graphics adapter and that *Rostoker* does not teach or suggest a graphics adapter comprising a “frame buffer” as recited in independent claim 19. Therefore, even if the teachings of *Rostoker* and *Kloba* were combined, all the claim limitations of independent claim 19 would not be taught or suggested as required to make a *prima facie* case of obviousness.

Therefore, Applicants respectfully request reconsideration of the rejection and allowance of claims 14-15 and 19-25.

#### DEPENDENT CLAIMS

Dependent claims 2-11, 13-18, 20-25 and 27-28 are each directly or indirectly dependent from one of the above independent claims. Accordingly, without conceding that the Examiner’s assertions are valid with respect to the limitations of the rejected dependent claims, it is respectfully submitted that the dependent claims are allowable not only because of their dependency from their respective independent claims for the reasons discussed above, but also in view of their novel claim features.

**CONCLUSION**

In view of the foregoing, Applicants respectfully request reconsideration of the application and allowance to all pending claims.

Please charge any deficiency payment or credit any overpayment associated with this communication to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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Anand Gupta  
Anand Gupta  
Registration No. 48,219

Correspondence to:  
L.Joy Griebenow  
Hewlett-Packard Company  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, CO 80527-2400  
Tel. 970-898-3884